



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 20632

PERMIT 13760

LICENSE 8381

THIS IS TO CERTIFY, That

OLIVER D. BOYER AND ATHENE A. BOYER  
3600 HOLLISTER AVENUE, CARMICHAEL, CALIFORNIA  
Notice of Change (Over)

HAVE made proof as of AUGUST 4, 1967 (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
AN UNNAMED STREAM IN PLACER COUNTY

tributary to CAMPBELL CREEK THENCE BEAR RIVER THENCE FEATHER RIVER

IRRIGATION, STOCKWATERING, RECREATIONAL, FIRE PROTECTION AND  
for the purpose of FISH CULTURE USES  
under Permit 13760 of the Board and that the right to the use of this water has been perfected in  
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of  
this right dates from MARCH 1, 1962 and that the amount of water to which this right is  
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall  
not exceed FIFTY-TWO (52) ACRE-FEET PER ANNUM TO BE COLLECTED FROM ABOUT NOVEMBER 1 OF  
EACH YEAR TO ABOUT MARCH 1 OF THE SUCCEEDING YEAR AND A MAXIMUM WITHDRAWAL OF  
24 ACRE-FEET IN ANY ONE YEAR UNDER LICENSE 6560 AND 42 ACRE-FEET UNDER THIS RIGHT,  
OR A TOTAL OF 66 ACRE-FEET.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 1,056 FEET AND WEST 500 FEET FROM NE CORNER OF SECTION 4, T14N, R9E, MDB&M,  
BEING WITHIN NE1/4 OF NE1/4 OF SAID SECTION 4.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

INCIDENTAL USES AT RESERVOIR WITHIN NE1/4 OF NE1/4 OF SECTION 4, T14N, R9E, MDB&M,  
AND IRRIGATION AS FOLLOWS:

7 ACRES WITHIN NE1/4 OF NE1/4 OF SECTION 4, T14N, R9E, MDB&M  
7 ACRES WITHIN NW1/4 OF NE1/4 OF SECTION 4, T14N, R9E, MDB&M  
14 ACRES WITHIN SW1/4 OF NE1/4 OF SECTION 4, T14N, R9E, MDB&M

28 ACRES TOTAL

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR  
AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS  
SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER  
ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT  
STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY  
TO SATISFY THE DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT THAT APPROPRIATION OF  
SAID WATER IS NOT AUTHORIZED UNDER THIS RIGHT.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: FEB 6 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward  
Chief, Division of Water Rights

7/18/69 RECEIVED NOTICE OF ASSIGNMENT TO Seven Springs Hill Canyon  
9/8/76 Asgd to Spring Valley T Ranch  
9/8/76 Asgd to Wayne J. & Erma Lee Summers dba  
9/8/76 Spring Valley T Ranch  
8-2-73 name chg'd to Wayne J. & Erma L. Summers

11/24/68

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

Page 1 of 3

APPLICATION 20632

PERMIT 13760

Amended LICENSE 8381

### THIS IS TO CERTIFY, That

Wayne J. Summers and  
Delores L. Summers  
P.O. Box 779  
Colfax, CA 95713

have made proof as of **August 4, 1967** (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of **an Unnamed Stream in Placer County**

tributary to **Campbell Creek thence Bear River thence Feather River**

for the purpose of **Recreation, Wildlife Enhancement, and Fire Protection**

under Permit **13760** of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from **March 1, 1962** and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed 52 acre-feet per annum by storage to be collected from November 1 of each year to March 1 of the succeeding year.

This license does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

(0000005)

After the initial filling of the reservoir, licensee's right under this license extends only to water necessary to keep the storage reservoir full by replacing water lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.

(0000040)

#### THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

Spring Valley Ranch Dam No. 1321: South 1,056 feet and West 500 feet from NE corner of Section 4, T14N, R9E, MDB&M, being within NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 4.

#### A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

At reservoir within NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 4, T14N, R9E, MDB&M.

Licensee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOVEMBER 1 1993

STATE WATER RESOURCES CONTROL BOARD

*[Signature]*  
for Chief, Division of Water Rights

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 20632

PERMIT 13760

LICENSE 8381

ORDER ALLOWING ADDITION OF A POINT OF REDIVERSION  
AND ADDING A CONDITION TO LICENSE

WHEREAS:

1. License 8381 was issued to Oliver D. and Athene A. Boyer and was recorded with the County Recorder of Placer County on February 9, 1968, in Volume 1186, Page 476 of the Official Records.
2. License was subsequently assigned to Wayne J. and Erma Lee Summers.
3. A petition to add a point of rediversion under License 8381 has been filed with the State Water Resources Control Board and said Board has determined that good cause has been shown for such change.
4. The board has been determined that such change in adding a point of rediversion will not operate to the injury of any other legal user of water involved.
5. Licensees have entered into an agreement, dated March 16, 1978, with South Sutter Water District and Nevada Irrigation District, said agreement containing special conditions governing the diversion and storage of water under License 8381. A copy of said agreement is on file with the State Water Resources Control Board.

NOW, THEREFORE, IT IS ORDERED THAT:

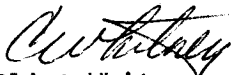
1. Permission is hereby granted to add a point of rediversion under License 8381 described as follows:

SOUTH 950 FEET AND WEST 1,000 FEET FROM THE NE CORNER OF SECTION 4,  
T14N, R9E, MDB&M, BEING WITHIN NE¼ OF NE¼ OF SAID SECTION 4.

2. The following condition is added to License 8381:

THIS LICENSE IS SUBJECT TO THE AGREEMENT DATED MARCH 16, 1978,  
BETWEEN LICENSEES, SOUTH SUTTER WATER DISTRICT, AND NEVADA  
IRRIGATION DISTRICT, TO THE EXTENT SUCH AGREEMENT COVERS MATTERS  
WITHIN THE BOARD'S JURISDICTION.

Dated: **JANUARY 12 1979**

  
Clint Whitney  
Executive Director  
Water Rights and  
Administration

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STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20632

PERMIT 13760

LICENSE 8381

ORDER ALLOWING CHANGE IN PURPOSE OF USE

WHEREAS:

1. License 8381 was issued to Oliver D. Boyer and Athene A. Boyer and was recorded with the County Recorder of Placer County on February 9, 1968 in Volume 1186, Page 476.
2. License 8381 was subsequently assigned to Wayne J. and Erma Lee Summers dba Spring Valley T Ranch.
3. An order allowing an additional point of diversion was granted on January 12, 1979 and has been recorded with the County Recorder of Placer County on January 18, 1979 in Volume 2075, Page 524.
4. A petition for change in purpose of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
5. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

The purposes of use under this license shall be as follows:

Irrigation, Stockwatering, Recreational, Fire Protection, Fish Culture and Incidental Power uses.

Dated: MARCH 29 1983

*Raymond Walsh*  
Raymond Walsh, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 20632

PERMIT 13760

LICENSE 8381

ORDER TO CORRECT PURPOSE OF USE,  
PLACE OF USE, AND TO ISSUE AMENDED LICENSE

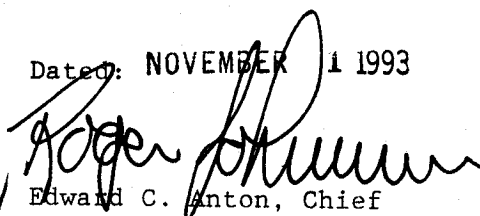
**WHEREAS:**

1. License 8381 was issued to Oliver D. Boyer and Athene A. Boyer and was recorded with the County of Placer County in Volume 1186, Page 476 on February 9, 1968.
2. An order adding a point of redirection was granted on January 12, 1979 and was recorded with the County Recorder of Placer County on January 18, 1979 in Volume 2075, Page 524.
3. An order allowing a change in purpose of use was granted on March 29, 1983 and was recorded with the County Recorder of Placer County on April 5, 1983 in Volume 2576, Page 524.
4. License 8381 was subsequently assigned to Wayne J. Summers and Delores L. Summers.
5. A petition was filed by the licensee to correct the purpose of use by deleting irrigation, stockwatering, and incidental power.
6. The State Water Resources Control Board (State Water Board) has determined that said corrections will not initiate a new right nor operate to the injury of any other lawful user of water and that good and sufficient cause has been shown for said corrections.
7. There are several corrections to the license; therefore, an amended license should be issued.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. An amended license be issued with all appropriate current terms.

Dated: NOVEMBER 1 1993

  
Edward C. Anton, Chief  
Division of Water Rights